

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 18, 2000**

A. ROLL CALL

The Regular City Council meeting of October 18, 2000 was called to order by Mayor Mann at 7:03 p.m.

Present: Council Members – Hitchcock, Land, Nakanishi, Pennino and Mayor Mann

Absent: Council Members – None

Also Present: Deputy City Manager Keeter, City Attorney Hays, and City Clerk Blackston

B. INVOCATION

The invocation was given by Pastor Jim Harvey, Lodi Community Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-2 (a) Mayor Mann acknowledged the proclamation proclaiming November 2, 2000 as "Student / Parent Mock Election Day" in the City of Lodi. Representatives from the League of Women Voters were not in attendance at the meeting to accept the proclamation.

D-3 (b) Mayor Mann presented a Certificate of Appreciation to Annette Murdaca, community volunteer, for her dedication and commitment in assisting with the completion of Lodi House, the community's shelter for women and children.

Annette Murdaca stated that the idea of Lodi House began when she realized there was nowhere in the City for homeless women with children to go. She approached the Council with the idea, and soon thereafter a task force was organized. Ms. Murdaca acknowledged Frank Sasaki and Dwight Dauber as being instrumental in the project. She noted that each room at Lodi House has been sponsored by different organizations in the City.

In addition, Mayor Mann presented a plaque to Frank Sasaki for his contributions toward the completion of Lodi House.

Frank Sasaki thanked everyone in the City for their support with the Lodi House project.

D-3 (a) Sweta Patel, member of the Greater Lodi Area Youth Commission, acknowledged the Teen of the Month, Carol Huston from Lodi High School.

D-3 (c) Dennis Bennett, Chairman of the Hutchins Street Square Foundation, presented the Mayor with a check in the amount of \$100,000 as payment toward the Hutchins Street Square Performing Arts and Conference Center.

Dennis Bennett spoke on behalf of the Hutchins Street Square Foundation and explained that the \$100,000 check is another debt repayment on the bond obligation that the City has on the property. The Foundation made a commitment to retire the debt, or raise funds at the rate of a minimum of \$150,000 per year. With the matching fund that the City approved, they have now repaid between \$2.1 and \$2.2 million of the debt. The Foundation is actively moving forward with fund raising activities. On December 2, a holiday fundraiser event is planned and will include a dinner, dance and auction. The cost is \$200 per couple.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Hitchcock, Pennino second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- E-1 Claims were approved in the amount of \$5,914,714.26.
- E-2 The minutes of September 20, 2000 (Regular Meeting), September 26, 2000 (Shirtsleeve Session), September 26, 2000 (Special Meeting), and October 3, 2000 (Shirtsleeve Session) were approved as written.
- E-3 Approved the specifications for rental and cleaning of uniforms for specific employees in the Maintenance and Operators and General Services units and authorized advertisement for bids.
- E-4 Approved the specifications for the purchase of 384 electric watt-hour meters and authorized advertisement for bids.
- E-5 Adopted Resolution No. 2000-184 accepting the public water main improvements at 650 South Guild Avenue.
- E-6 Adopted Resolution No. 2000-185 accepting the public water main improvements at 801 South Lower Sacramento Road.
- E-7 "Accept improvements under contract for Granular Activated Carbon Filter Systems for Wells No. 18 and 20" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
- E-8 Accepted the improvements under Polymer Modified Chip Seal, Various City Streets, 2000, contract.
- E-9 Accepted the improvements under Type II Polymer Modified Slurry Seal, Various City Streets, 2000, contract.
- E-10 Approved the final map for Towne Ranch, Unit No. 8, Tract No. 3037; and directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City.
- E-11 Set Public Hearing for November 15, 2000 to consider the Planning Commission's recommendation that the City Council adopt the Growth Management Allocations.
- E-12 Set Public Hearing for November 15, 2000 to consider the technical equipment purchase proposal for Local Law Enforcement Block Grant Program.
- E-13 Set Public Hearing for November 15, 2000 to confirm the Annual Report and consideration of the Downtown Lodi Business Partnership's (DLBP) intent to levy annual assessment for Downtown Lodi Business Improvement Area No. 1.

ACTION ON ITEM REMOVED FROM THE CONSENT CALENDAR

- E-7 "Accept improvements under contract for Granular Activated Carbon Filter Systems for Wells No. 18 and 20"

In response to Mayor Pro Tempore Nakanishi, Public Works Director Prima explained that carbon filter technology is used for filtering organic chemicals in wells. These filters must be used on a regular basis.

MOTION:

The City Council, on motion of Mayor Pro Tempore Nakanishi, Hitchcock second, unanimously accepted the improvements under the "Granular Activated Carbon Filter Systems for Wells No. 18 and 20" contract.

F. PUBLIC HEARINGS

- F-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mann called for the Public Hearing to consider adopting a resolution vacating the public utility easement along the south ten feet of Lots 90, 97, 98, 99 and 100 of Sunwest, Unit No. 12.

Mr. Prima reported that the public utility easement under consideration was one that was put in place with the Sunwest 12 development a number of years ago. It was used for a temporary sewer line/pump station. With the completion of the subsequent units to the south, the pump station was abandoned, so this particular pipe that was in this easement was plugged and no longer needed. The easement can now be abandoned so the property owners' lots are not encumbered. The City will retain short pieces of each end where the standard public utility easement is located along the street.

Hearing Opened to the Public

No public comments.

Public Portion of Hearing Closed

MOTION:

The City Council, on motion of Council Member Hitchcock, Pennino second, unanimously adopted Resolution No. 2000-186 entitled, "A Resolution Of The Lodi City Council Vacating A Public Utility Easement Along The South Ten Feet Of Lots 90, 97, 98, 99 And 100 of Sunwest, Unit No. 12 Subdivision".

G. COMMUNICATIONS (CITY CLERK)

- G-1 Claims Filed Against the City of Lodi – None
- G-2 City Clerk Blackston read the following ABC License:
- a) Michael Alan Kiley, Kiley's Dinner Theatre, 1030 S. Hutchins Street, Lodi, On-Sale Beer and Wine, Original License
- G-3 The following report was presented to the City Council:
- a) Planning Commission report of September 27, 2000
- G-4 The following postings/appointments were made:
- a) The City Council, on motion of Council Member Pennino, Hitchcock second, unanimously made the following appointments to the Animal Shelter Task Force:

Animal Shelter Task Force

Daunis Bradshaw	Unspecified Term
Janette de Jong	Unspecified Term
Elaine M. Dornton	Unspecified Term
Joe Guzzardi	Unspecified Term
Linda S. Hansen	Unspecified Term
Susan J. Pixler	Unspecified Term
Barbara Steinheimer	Unspecified Term

- b) The City Council, on motion of Council Member Land, Nakanishi second, unanimously directed the City Clerk to post for the following vacancy:

Lodi Senior Citizens Commission

Robert J. Maus

Term to expire December 31, 2000

G-5 Miscellaneous – None

H. REGULAR CALENDAR

H-1 “Approve design concept up to \$450,000 for the All Military Veterans Plaza”

Deputy City Manager Keeter reported that staff is requesting Council to approve the design concept as presented by architect Tim Mattheis during the October 4, 2000 Council meeting. After the concept is approved, Mr. Mattheis will proceed with the final design drawings, plans and specifications, and the construction cost estimate. Once the final design and associated plans and specifications are prepared, staff will return to Council with the construction estimate and will then request an appropriation of funds. The sequence of events follows a typical capital project. There have been numerous public meetings and opportunities for members of the community to give input into this project. The Ad Hoc Veterans Advisory Committee endorses this concept design and urges Council to move forward with the next phase of the project.

PUBLIC COMMENTS:

- a) Wayne Kildall, 1426 W. Lockeford Street, Lodi, introduced himself as Chaplain Lieutenant Colonel U.S. Army Retired, and member of the Ad Hoc Committee. He spoke in support of the veterans memorial and gave examples of sacrifices made by veterans. He commended Cynthia Haynes for her hard work on the project and presented her with a donation for the memorial.

Council Member Hitchcock expressed support of the memorial and reminded the public that the City's contribution is being considered as a loan that will be repaid, allowing citizens an opportunity to make contributions. Ms. Hitchcock pledged a \$500 contribution and challenged fellow Council Members to do so as well.

Mayor Pro Tempore Nakanishi also emphasized that this will be a loan. He matched Council Member Hitchcock's contribution of \$500 and encouraged other Council Members to do the same.

Council Member Keith Land pledged a \$500 contribution.

Cynthia Haynes thanked members of the Ad Hoc Committee for their work on the Veterans Plaza and organization of the Veterans Day celebration to be held on November 11. She encouraged all veterans to participate in the parade. Transportation will be provided for those who need it. The parade will begin at 11:00 a.m. at the Train Station. The Downtown Lodi Business Partnership (DLBP) will assist with the parade and will also have a sidewalk sale. A groundbreaking celebration will be held at the proposed site of the Veterans Plaza. A community barbecue for an anticipated crowd of 2,000 will follow, sponsored by Farmers and Merchants Bank and Bank of Lodi. 250 Boy Scouts will help set up and will participate in the parade and present the colors. Other participants include the Disabled American Veterans, VFW posts from Lockeford and Lodi, a veterans group from Galt, and the American Legion. The American Legion will host an open house after the barbecue and they will demonstrate a Missing in Action (MIA) and Prisoner of War (POW) ceremony. The armory will have military vehicles on display.

Ms. Haynes reported that the Ad Hoc Committee is committed to paying the money back and has already received \$11,000 in donations and pledges. She noted that contributions to the Lodi Area All Military Veterans Plaza can be made through United Way.

Mayor Mann acknowledged the loss that Americans have suffered recently due to the USS Cole incident, which he stated, renews the importance and urgency of the Veterans Mall.

MOTION:

The City Council, on motion of Council Member Land, Pennino second, unanimously approved the design concept, up to \$450,000, of the All Military Veterans Plaza as recommended by the Ad Hoc Veterans Advisory Committee and as presented by Architect Tim Mattheis during the October 4, 2000 Council meeting.

- H-2 "Adopt resolution approving the addition of one Laborer/Maintenance Worker I/II, one Plant and Equipment Mechanic, and one Streets Contracts Administrator, and associated office and ancillary equipment for the Public Works Department, and approving the class specification and salary range for Streets Contracts Administrator"

Ms. Keeter reported that the intent of the increased staffing level in the Public Works Department is to meet current demands for service and to respond to anticipated future needs. The position of Labor/Maintenance Worker I/II will be assigned to the Streets Division and will operate truck 16. It will be funded mainly by gas tax funds. The Streets Contracts Administrator is a mid-management position charged with managing and monitoring the City's landscape and maintenance contracts along with various other duties. This position will also be funded by gas tax funds. The Plant and Equipment Mechanic is a position in the Water/Wastewater Division. The employee filling this position would be responsible for acting as a first responder to customer calls and complaints and would also be key in assisting with the relocation and/or replacement of laterals, particularly in the older sections of town. This position will be funded 50% by Water, and 50% by Wastewater Utility funds.

In response to Council Member Hitchcock, Mr. Prima stated that the additional Hutchins Street median landscaping will be done in the spring and will include irrigation. He commented that the only street maintenance positions Public Works has added since the early 1990s were the downtown cleanup worker and graffiti abatement person. In reference to street sweeping, Mr. Prima explained that truck 16 would make the operation much more efficient, allowing them to increase the frequency of sweeping.

Mr. Prima reported that yesterday, the City received \$400,000 in gas tax money from the State. Annual payments of between \$50,000 to \$100,000 will be paid for the next five years. The City's share of gas tax has been increased by the State as a result of surpluses they have had. This money has to be spent on street maintenance and must be used within 1.5 years from the date it is received.

Mayor Pro Tempore Nakanishi asked how this will help the east side.

Mr. Prima disagreed that the east side has been neglected in terms of street maintenance. In terms of overall street maintenance, Public Works looks at the needs of the street in terms of its condition, age, and what has been done to it in the past. There is a higher need for maintenance in the older part of town, because of factors such as trees. Many of the older neighborhoods were built with parkway strips that have places for trees in them, which have damaged sidewalks, curbs, and gutters.

Mayor Mann commended the Public Works Department for maintaining a high level of service in spite of past budget cuts.

Council Member Land concurred, and reported that the Department had some positions eliminated in 1993. Since that time, street maintenance has increased. He noted the following current and upcoming examples: 1) Median improvements on Hutchins Street between Kettleman and Harding Lanes; 2) Cherokee Lane; 3) A median on Kettleman Lane from Hutchins Street to Lower Sacramento Road, and 4) Lower Sacramento Road from Turner to Kettleman Lane. In conclusion, he thanked Public Works for "doing more with less" and providing a high quality of service to the community.

MOTION:

The City Council, on motion of Council Member Pennino, Land second, unanimously adopted Resolution No. 2000-187 approving the addition of one Laborer/Maintenance Worker I/II, one Plant and Equipment Mechanic, and one Streets Contracts Administrator, and associated office and ancillary equipment for the Public Works Department totaling \$157,230, and approving the class specification and salary range for Streets Contracts Administrator as shown below:

<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
\$3,811.99	\$4,002.54	\$4,202.70	\$4,412.83	\$4,633.46

I. ORDINANCES

- I-1 Ordinance No. 1696 entitled, "An Ordinance Of The City Council Of The City Of Lodi Repealing And Reenacting Chapter 5.40 Of The Lodi Municipal Code In Its Entirety Relating To The Regulation Of Adult-Oriented Businesses" having been introduced at a regular meeting of the Lodi City Council held October 4, 2000 was brought up for passage on motion of Council Member Pennino, Mann second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the vote shown below:

In response to Council Member Hitchcock, City Attorney Hays stated that he has spoken with Mr. Kruppe's attorney. He had no specific language changes to request.

Ayes: Council Members – Hitchcock, Land, Nakanishi, Pennino and Mayor Mann
Noes: Council Members – None
Absent: Council Members – None
Abstain: Council Members – None

J. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Bob Driscoll, 8963 Hope Lane, Morada, spoke on behalf of the San Joaquin County Juvenile Justice Delinquency Prevention Commission. It is a 12-member body, with six members appointed by the Juvenile Court, and six appointed by the County Board of Supervisors. They advise the Juvenile Court Judge on the administration of justice in the County and do annual inspections of Juvenile Hall as well as any location that detains minors for longer than 24 hours. The commission is having its 15th annual award banquet on October 26 at the Micke Grove municipal auditorium. The commission annually gives awards to persons and agencies in six different categories. The guest speaker for the banquet is Senator Patrick Johnston. Mr. Driscoll extended an invitation to Council.

K. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Hitchcock reported that the Multi-Cultural Health Fair on Central Avenue was a great success. She thanked Janet Hamilton for doing a wonderful job in coordinating the event. She also noted that the Prayer Fest was well attended, as was the Pow Wow event organized by the Parks and Recreation Department.

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- Council Member Land also acknowledged Janet Hamilton's outstanding work on the Multi-Cultural Health Fair and stated that it should be an annual event. He thanked City Clerk Blackston for setting up two booths at the event, and noted that the Prayer Fest and Salmon Festival were both well attended.
- Mayor Pro Tempore Nakanishi also commented on the excellent job done by Janet Hamilton. He asked that a letter of thanks be written to Kaiser Permanente for their participation in the Multi-Cultural Health Fair. He expressed hope that the event would take place every year.
- Mayor Mann congratulated Street Superintendent George Bradley whose son is now a member of the Lodi Police Department.

L. CLOSED SESSION

Mayor Mann adjourned the City Council meeting at 8:05 p.m. to a Closed Session to discuss the following matter:

- L-1 Pursuant to Government Code §54956.9(c); conference with legal counsel; anticipated litigation/initiation of litigation regarding 1723 W. Kettleman Lane, Lodi, CA (APN 031-040-09); one potential case

M. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at 8:19 p.m., and disclosed that the City Council, on motion of Council Member Pennino, Land second, unanimously authorized staff to obtain property appraisal.

N. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:20 p.m.

ATTEST:

Susan J. Blackston
City Clerk